

### **REMARKS**

This amendment is filed in response to the Examiner's outstanding Office Action mailed December 12, 2005 in the above-identified U.S. patent application. In the Office Action the Examiner has rejected claims 16-28 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which is regarded as the Applicants' invention. In order to remove the rejection under 35 U.S.C. § 112, the Applicants have amended claims 16-28 in order to define the Applicants' invention in more clear and concise terminology. By making these changes it is believed that these claims now distinctly claim the subject matter of the Applicants' invention. The present invention is directed to a plurality of covers which are placed over a surgical tray in order to establish a sterile environment. The tray is not considered a part of the present invention but is merely the object for which the covers are applied in order to establish the sterile environment.

The changes or amendments which have been presented in this document are not made as a result of any prior art which has been cited by the Examiner or known to the Applicants. The Applicants do not in any way waive or limit the breadth of the claims which remain in this application.

The outstanding Office Action also makes reference to the rejection of claims 1-15 in this application based on 35 U.S.C. § 103 in various references which have been applied. Since claims 1-15 have been canceled in this application it is believed that these rejections no longer apply and therefore are not further discussed. The patents that have been applied by the Examiner were included in the Applicants' Information Disclosure Statement and were discussed in the prosecution of the parent application. That discussion is included herein by reference. It is sufficient to note that the Examiner has not applied any of these references to the remaining claims 16-28 which establishes that claims 16-28 contain patentable subject matter and therefore claims 16-28 as amended are believed to be in condition for allowance. Early notice of this fact and the forwarding of this application to issue at an early date is solicited.

The undersigned attorney hereby requests that if the Examiner has any further questions with respect to the patentability of the claims in this application that he initiate a telephone interview with this attorney in order to resolve any remaining concerns.

If additional fees are required, please debit our Deposit Account No. 04-1414.

Respectfully submitted,

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